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RUEHLO/AMEMBASSY LONDON PRIORITY 0661

C O N F I D E N T I A L SECTION 01 OF 02 KUALA LUMPUR 000827

SIPDIS

FOR EAP/MTS AND INR

E.O. 12958: DECL: 10/15/2019

TAGS: [PGOV](#) [KDEM](#) [MY](#)

SUBJECT: BN WINS BAGAN PINANG BY-ELECTION AS EXPECTED

Classified By: Political Counselor Brian D. McFeeters for reasons 1.4 b and d.

SUMMARY AND COMMENT

¶1. (SBU) In a closely watched by-election, Malaysian voters in the Bagan Pinang constituency elected United Malays National Organization's (UMNO) Tan Sri Mohd Isa Samad as their new State Assemblyman. Mohd Isa defeated his Islamic Party of Malaysia (PAS) opponent, Zulkefly Mohamad Omar, by a landslide margin of three to one. Mohd Isa garnered support across all three of Malaysia's major ethnic groups. Of the nine by-election contests since the March 2008 General Election, this victory marks just the second time an UMNO candidate has won; it is also the eighth of nine contests won by the same party as the previous office holder. The opposition has downplayed the significance of the victory.

¶2. (C) COMMENT. The UMNO victory will give the Prime Minister and his ruling Barisan National (BN) coalition a short-term victory, but will not provide any significant longer term political momentum against the opposition Pakatan Rakyat (PR). Although the BN is claiming that the victory represents a shift in momentum back in their favor and a changing of attitudes among voters, this is not the case: UMNO fielded a political powerhouse against a relatively weak opponent, and this type of fight over a state assemblyman's seat would never happen in a General Election. Mohd Isa also has a scandal-tainted past, demonstrating that both voters and UMNO decision-makers are willing to ignore a candidate's black marks if they are popular. Until the next General Elections, by June 2013 at the latest, we expect further jockeying between the BN and PR as they attempt to gain political momentum through by-elections. END SUMMARY AND COMMENT.

BACKGROUND ON THIS BY-ELECTION

¶3. (U) Bagan Pinang is 90 minutes south of the capital, located in the state of Negeri Sembilan. The by-election was precipitated by the death of incumbent state assemblyman Azman Mohamad, a member of UMNO who died in July 2009. Approximately 63% of registered voters are ethnic Malays; 21% are Indians; 11% are Chinese; and 5% are from other ethnic backgrounds. UMNO has roughly 30 times more registered voters than PAS does residing in the Bagan Pinang, and an UMNO candidate has never lost an election in Bagan Pinang since Malaysia's independence.

THE CANDIDATES

¶4. (SBU) The opposition selected Zulkefly Mohamad Omar, the PAS commissioner in Negeri Sembilan, as their candidate. Apart from being an administrator for PAS, Zulkefly had

previously contested and lost three separate state assemblymen seat contests. Conversely, UMNO candidate Tan Sri Mohd Isa Samad is an UMNO political heavyweight. He was a popular Chief Minister of Negeri Sembilan from 1982-2004, and was elevated to Chief Minister of the Federal Territories in 2004 after being elected as one of three UMNO Vice Presidents. Mohd Isa's political career seemed over in 2005 after an UMNO investigative committee determined he was engaged in money politics, handing him a six year ban from politics (later reduced to three). Mohd Isa is originally from the Bagan Pinang constituency and was considered its hometown hero when he was Chief Minister.

15. (SBU) PolCouns and Poloff attended separate campaign events in the run-up to the election. As in previous by-elections, both campaigns brought in political heavyweights to rally support for their candidate. The campaigns focused less on issues and more on the candidates, though it was clear from the beginning that this would be a one-sided contest. The campaigns were marred with some slight scuffles between opposing supporters.

A LANDSLIDE FOR UMNO...AS EXPECTED

16. (U) Mohd Isa received 8,013 (75.6%) votes to Zulkefly's 2,578 (24.4%), which is roughly double the margin of victory the UMNO candidate had over his PAS opponent in this constituency during the 2008 General Election. Voter turnout was 82% of eligible voters. One-third of eligible voters were 'postal voters' who vote by absentee ballot, as the constituency has a large number of constituents serving in

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the military. Mohd Isa received strong support across all racial demographics. UMNO Youth Chief Khairy Jamaluddin accredited the win to Mohd Isa's local influence. Said Khairy: "Local politics trumps national concerns. As a former Menteri Besar (Chief Minister), Isa has a good track record. He knows people here...Isa is much liked by locals."

PREDICATABLE REACTIONS

17. (SBU) Leaders from both coalitions responded to the BN victory with the expected rhetoric. Prime Minister Najib Tun Razak said that the win "will be a breath of new life for the coalition's members to keep fighting." Deputy PM Muhyiddin Yassin trumpeted the victory as "the tide turning" away from the PR, and a "ringing endorsement" for the PM and his 1Malaysia policy. A PAS spokesman claimed that the BN engaged in underhanded tactics throughout the campaign, while DAP leader Lim Kit Siang acknowledged that the by-election loss was a wake-up call, and that "Pakatan Rakyat must go back to the drawing board," and that "the rout suffered by the Pakatan Rakyat in the Bagan Pinang by-election should destroy the myth that PR is embarked on an invincible path to victory in the next general elections."

BY-ELECTIONS IN CONTEXT

18. (SBU) The victory by Mohd Isa does not change the balance of power in the UMNO-led state assembly of Negeri Sembilan, as he replaces another member of UMNO. Of the nine by-elections held since the March 2008 General Election, eight have been won by members of the same party as the incumbent. The only by-election that saw one party gain relative power occurred in Terengganu in January 2009, with opposition PAS winning a Parliamentary seat from an UMNO incumbent. The series of by-elections March 2008 has decreased the ruling coalition's margin in parliament from 140-82 to 139-83.

19. (SBU) The opposition has been claiming they have continued the political momentum captured with their strong showing in

the March 2008 General Election (47% of all votes, compared to 50% by the BN) due to their continued victories in seven of nine by-election contests. This is partially misleading because of the seven contests they won, six were in constituencies they already held. Both of the by-elections won by UMNO were in constituencies they previously held.

¶10. (SBU) By-elections, in general, are not conducted like General Elections, and are therefore not representative of what the voting public is thinking. Because of their random occurrences (death, resignation), there is no set pattern on when they will occur, resulting in the local issues of that day taking precedence over national issues. By-elections tend to see a much greater concentration of resources spent and physical campaigning -- particularly by high-level party officials who would not have the time to campaign in each constituency during the General Election. As a result, these constituencies get hyped media and political attention. Both coalitions have also used candidates with a much higher political profile than the contest would otherwise call for. Two examples of this include former Chief Minister of Perak Mohammad Nizar, who successfully ran for a Parliamentary seat less than two months after his questionable ouster as Chief Minister, and Mohd Isa for the Bagan Pinang state assemblyman's seat. END COMMENTS.
KEITH